

**BOARD OF SELECTMEN MEETING
MONDAY, MARCH 2, 2015
7:00PM AT TOWN OFFICE BUILDING
240 SPRINGFIELD STREET, WILBRAHAM, MA
MINUTES**

PRESENT: Chairman Robert W. Russell (presiding); Selectmen Robert J. Boilard and Susan C. Bunnell, Interim Town Administrator Thomas Sullivan and Candace Ouillette Gaumond, Administrative Assistant to the TA/BOS.

PLEDGE OF ALLEGIANCE

Chairman Russell opened the meeting and asked all to join him in saying the Pledge of Allegiance.

APPOINTMENTS WITH THE BOARD

611 Glendale Road (aka Mount Marcy) Proposal – Lawrence Lloyd of Delta Capital Group, LLC, Jerry Gagliarducci, Property Owner, and Co-Chairs of the Open Space and Recreation Committee: Joe Calabrese & Jonathan “Jay” Taylor

Mr. Gagliarducci was not present for the meeting. Mr. Lloyd, of Silo Farm Associates, LLC, explained that the open space acquisition project was submitted to the Community Preservation Committee (CPC); however, the Committee rejected the application for the project. Mr. Lloyd expressed wanting to understand the CPC’s process better and why the Open Space Acquisition Project application was rejected by the CPC. Selectman Boilard informed Mr. Lloyd that he was unsure why the Committee rejected the application. He further explained that the Board of Selectmen is a separate entity from the CPC. For this reason, Selectman Boilard pointed out that the Board of Selectmen can not speak for the CPC.

Mr. Lloyd stated that after reviewing the Community Preservation Act legislation, it is his opinion that the CPC can not reject the project. The project is the spirit of what the Community Preservation Act is. Consequently, Mr. Lloyd advocated that the Town move the project forward. He asked if the Board of Selectmen has the ability to overturn the CPC’s decision. Selectman Boilard responded that the Board does not have the ability to overturn the CPC’s decision. Selectman Boilard offered that the Board would look into the matter and conduct a review. The question was asked if Mr. Lloyd was looking for the Town to bring the application forward to Town Meeting. Mr. Lloyd responded no. He informed that he just wanted to understand the process and why the application got rejected. He also wanted to leave some materials with the Selectmen as well as a letter that outlined how the CPC violated the law by rejecting this application. He also quoted case law to support his point, which was abstracted from a memo written by a lawyer.

Mr. Calabrese shared that he watched the video of the CPC meeting. He commented that the Open Space and Recreation Committee was not listed on the project proposal put forth at the CPC meeting. Minnechaug Land Trust was listed on the proposal. However, the Open Space and Recreation Committee was not even though the Committee backed ninety percent of the project. Mr. Calabrese explained the history of the land with regard to open space. He stated that the Open Space and Recreation Committee acquired two parcels eight years ago and rejected obtaining three parcels. He pointed out that Open Space and Recreation Committee does not take over all the land. Mr. Calabrese stated that the Vision Action Taskforce’s Report pointed out that Wilbraham has less open space than East Longmeadow and Longmeadow. He also explained how this particular area of land for open space would create connectivity to other areas of open space in Wilbraham. Mr. Calabrese explained that during the CPC meeting it was stated that open space is taking over, the land would need a manager to be managed and it does not provide connectivity, which were reasons that led the CPC to reject the project’s application. Mr. Calabrese pointed out that the CPC’s arguments to reject the application did not have any weight. He

explained how the CPC's reasons could be disproved. He stated that this property and project is similar to the Rice and MacDonald Nature Preserves. Mr. Calabrese felt the CPC's decision about this project's application raises concerns. He also shared with the Selectmen that Steven Lawson from the Minnechaug Land Trust was interrupted several times during the presentation for this proposal at the CPC meeting. According to Mr. Calabrese, Mr. Lawson was unable to even finish presenting the proposal's presentation as a result. Mr. Calabrese suggested that there be appropriate protocol established in the future so that this type of conduct does not occur.

Mr. Taylor explained that the CPC's Mission Statement indicates a responsibility to make recommendations about projects to fund with Community Preservation Act funds. It does not direct the Committee to determine if the level of taxation in Town is too high or not. Mr. Taylor explained that open space has been challenged regularly the last few years in Town. Although, according to the Vision Action Taskforce's Report, residents value open space. Mr. Taylor pointed out that open space is part of the unique ambience the Town has that draw residents to the area. It is projects, such as this, that the Community Preservation Act monies have been approved for. He also provided facts from a study that indicated that every dollar generated by development costs the Town \$1.32; whereas, every dollar generated by open space costs the Town .33 cents. He stated that open space does not cost the Town more money than developed areas. Mr. Taylor made this previous point as a result of a comment made at the CPC meeting, which he read from the CPC minutes to the Selectmen. He then expressed his concern about the CPC and the handling of this particular project proposal.

Selectman Boilard asked if the monies to fund this land acquisition were proposed to come from Community Preservation Act funding and state grants. Mr. Lloyd stated yes. He then explained how the proposal would be funded. Interim Town Administrator Sullivan further explained how the proposal would be funded. Selectman Boilard asked if the rejection was not unanimous. Mr. Calabrese responded that there was one "nay."

Selectman Boilard pointed out that his impression of connectivity is that parcels would be joined together; yet, he sees that the connectivity Mr. Calabrese is discussing includes crossing streets or walking a mile or two down a neighborhood street to reach the other open space parcel. Mr. Calabrese gave an example of connectivity as viewed in the Town of Amherst via the Amherst Trail System, which goes into neighborhoods and open space. He claimed this type of connectivity does not disturb anyone. Mr. Taylor stated that connectivity is not absolutely; it's the principal of trying to preserve a corridor for recreation and natural enjoyment.

Selectman Bunnell expressed wanting to view the CPC meeting on video before taking any action. Selectman Boilard stated that there needs to be a review of legalities, charge of the Committee, and other matters before making a determination. The Selectmen were not aware of what drove the CPC to make the decision that the Committee did. Mr. Taylor made an argument that the CPC's discussion and decision-making went against the nature of the Committee.

Chairman Russell stated that the Selectmen have to look into this matter. He explained that the Board has some thinking to do. Mr. Lloyd asked if the Board would report back to him relative to the land acquisition project.

Selectman Boilard responded to Mr. Lloyd; and implied that the worst case scenario would be to reapply for Community Preservation Act funding next year. Mr. Lloyd left a full size version of the surveyor's plan of the property and some documentation about the proposal. Chairman Russell emphasized that the Board can't make a promise as to when a response will be issued but will review the matter then move forward.

Materials referenced: 611V Glendale Road Surveyor's Plan; Email, dated February 22, 2015, from J. Broderick, relative to Mount Marcy Property; Project Application, dated January 2015, submitted by Silo Farm Associates, LLC, relative to 611V Glendale Road; and Letter, dated February 20, 2015, from S. Lawson, Representative from Minnechaug Land Trust.

Proposed IT Position for FY16 Annual Budget – Nathan DeLong

Director DeLong discussed his fiscal year 2016 request for a full time help desk staff person. He explained that the IT Department currently has two full-time and one part-time staff. He provided details as to what those staff are responsible for. He reviewed the list of information technology assets the Town has to illustrate the IT Department's workload. Director DeLong reminded the Selectmen that the part time staff is only responsible for managing the website. He outlined what the part time position in the IT Department is responsible for, such as providing website assistance, (i.e. posting meetings and maintaining department pages on the website,) managing the Town's social media (Facebook and Twitter) sites and training staff on how to use the website. As a result of the overall workload, according to Director DeLong, the biggest issue the IT Department faces is constantly being in triage mode and putting out fires as opposed to focusing on projects that aid in building the Town's efficiency. He provided an example of a triage situation, which consisted of working to get the Director of Public Works' email up in running when it was down. This triage situation took up most of a day to work on.

This coming year, Director DeLong is requesting to fund the part time position as a full time help desk position in the IT Department. According to the Director, the position would be responsible for the current tasks, as noted earlier in the meeting, and act as a triage help desk for other employees. Director DeLong provided an example and explained how the help desk would work. He informed that some of the simplest IT problems take up to fifteen minutes to half an hour to conduct a diagnostic and resolve the problem. He then explained how this position would help the IT Department become more efficient and allow time for the other IT Department staff to work on the necessary projects within a manageable work week. Director DeLong expressed that it is essential to add the position to the IT Department.

Interim Town Administrator Sullivan provided an example of how this would increase efficiency. He explained that the Town Offices currently have Windows XP, which is not being supported anymore. As a result, the IT Department is trying to upgrade all the Town computers' to a newer version of Windows. He further added that the funding for the position was included in the fiscal year 2016 budget because he sees everyday the staffing levels and what the IT Department needs.

Selectman Bunnell asked if there are monies in budget to upgrade to a newer Windows system. Director DeLong responded, yes. He explained where the monies were allocated from. Selectman Bunnell asked a question about the process of working on the Window systems. Director DeLong responded to her question. Selectman Bunnell also asked a clarifying question about the upgrade and how the help desk person would assist in this circumstance. Director DeLong answered her question. Discussion ensued. Selectman Boilard asked if Director DeLong made his request to the Finance Committee yet; and if so, was the Finance Committee supportive. Director DeLong responded.

Chairman Russell asked if the IT Department would go from two and half staff to three staff. Director DeLong stated yes. Chairman Russell asked about the hiring process. Director DeLong answered that the position would be advertised for a person who is Microsoft certified. Then the applicants would go through the interview process and a candidate would be chosen. Chairman Russell wondered what would happen to the current part time staff. Interim Town Administrator Sullivan stated that it was too early to know what would happen. Chairman Russell stated that he would like to think about this matter first. The Board of Selectmen decided to let the Finance Committee take a vote on the request.

Materials referenced: IT Support and Website Technician Job Description; and Point Factor Evaluation Worksheet for the Proposed Position.

OPEN SESSION

Town Administrator's Report

Interim Town Administrator Sullivan informed the Selectmen that he has been working on gathering documentation from the Police Department, County and Region to aid in the study to establish a baseline of impacts relative to MGM Casino. He also is working on the foreclosure process for 2451 Boston Road (former Belli's Restaurant.) Once the Town forecloses on the property, due to the property owner owing \$70,000 in back taxes, the Town can take control of the building and knock it down. He also commented on how the Police Station Feasibility Sub-committee Negotiation Team is moving forward to start negotiations with the property owners of the preferred site for the new the police station.

Board of Selectmen Updates

Chairman Russell mentioned that the Fire Chief's Association is holding a Legislative Breakfast at the Log Cabin this coming Friday. He asked if one of the Selectmen or Interim Town Administrator Sullivan could attend the breakfast because he could not. Selectman Bunnell offered to attend.

Citizens Open Forum

Steven Garete, resident from 2 Fernwood Drive, spoke about an issue he was having with his neighbor, The Assembly of God Church. He explained that the Church took a bucket loader and dumped snow in the back of the property's parking lot. This snow pile is creating a water issue and is melting into a stream causing water issues for his property. Mr. Garete also made complaint about the Town's spending on mailboxes as a result of the snow plows destroying mailboxes. He informed that the first ten feet of property frontage is owned by the Town. However, the snow plows are moving snow thirty feet onto residents' front lawn. He asked if the Town would cover the cost to reseed residents' properties as a result. Mr. Garete wanted to know how much the Town spends on replacement mailboxes. Selectman Boilard explained that the replacement mailboxes are very simple, consisting of a wood pole and black or white box. Selectman Bunnell commented on the cost of mailboxes as well. Interim Town Administrator Sullivan stated that the snow plows have to go faster to get over the snow banks so that the roads do not shrink in size. The roads need to be kept clear for emergency vehicles. Discussion ensued about the issue raised by Mr. Garete relative to The Assembly of God Church. The Board of Selectmen will have Zoning Enforcement Officer Trevallion look into the matter.

Jeffrey Smith, Chairman of Planning Board and Appointee on CPC, commented on the CPC discussion held earlier in the evening. He explained that there are legitimate concerns regarding the CPC and the way some of the business and issues are handled by the Committee. He stated that the Town is very fortunate to have adopted the Community Preservation Act; whereas, a lot of residents benefit from it. He expressed that he thinks it's our duty to follow the letter of the law. He encouraged the Selectmen to conduct a review of the Act and how the Committee is handling its responsibilities by watching the past two meetings. Mr. Smith does not feel that the Act is being fully followed by the Committee. He cautioned that the Board of Selectmen be cautious as to who gets appointed to the Committee. According to Mr. Smith, the CPC has a lot of power and has exclusive power over the projects recommended to the Town. Overall, Mr. Smith, as a member of the CPC, felt that there are great arguments and a good cross section of people. However, he would like to see the Board of Selectmen review the activities of the CPC to ensure things are being handled to the satisfaction of the Board.

Michael Dane, resident on Crane Hill Road, suggested that Committees should have various points of view. He stated that the Open Space and Recreation Committee are working with all like minded people. He commented on an Open Space and Recreation Committee meeting where it seemed discussion ensued relative to having open space and conservation lands in every corner of Town. Mr. Dane stated that property in Wilbraham is already being used and restricted as result of wet land designations. He further added that there is very little property left to develop. Mr. Dane shared that his Grandfather used to hike up at Mount Marcy back in 1921. His Grandfather used take Mr. Dane hiking there, too. According to

Mr. Dane, people can still hike there today. He made further comment about the property. Mr. Dane informed that a lot of Wilbraham has been lost from the private sector to the public sector. He asked questions about Mount Marcy as to whether the land becomes restricted if purchased with state funding. Also, he wanted to know if this proposal were to go to the Annual Town Meeting for a vote, would the presentation be one-sided with no counter presentation presented. Mr. Dane would like to see decisions about this proposal made based on reason and not emotions.

George Reich, Town Moderator, informed Mr. Dane that, to be clear, counter points would be allowed at Town Meeting.

John Broderick, resident from Stony Hill Road, asked what was the item recently passed about Fountain Park. Interim Town Administrator Sullivan explained that an Article, with regard to Fountain Park, was approved for the Town Meeting Warrant. Mr. Broderick suggested allowing the public to have input; whereas, Wilbraham Nature and Cultural Council does not have any posted meetings or seeks public input.

OLD BUSINESS

NEW BUSINESS

Wilbraham Nature and Cultural Center, Inc.'s Fountain Park Use Guidelines

- Discussion of Proposed Fountain Park Use Guidelines' Language
- Approval of the Proposed Warrant Article

Selectman Bunnell explained that in 1995 when the Fountain Park proposal was put forward at Town Meeting, it included use guidelines as well. At that time, the Fountain Park use guidelines had language restricting use of taxpayer monies; however, the CPC was not on anyone's radar at the time. Therefore, the language restricted Fountain Park from obtaining Community Preservation Act funding for projects. She further explained some of the outdated language to the Board. According to Selectman Bunnell, the Wilbraham Nature and Cultural Council would like to clean up the language in the Fountain Park Use Guidelines. For this reason, there is a request to allow a Warrant Article to go before Town Meeting.

Interim Town Administrator Sullivan explained that the Warrant Article would approve language allowing CPC funds to be used at Fountain Park as well as update the Use Guidelines' language. He also mentioned that the Use Guidelines allow citizens to request the Board of Selectmen to approve requested changes to Fountain Park's Use Guidelines. Overall, Interim Town Administrator pointed out that it's the Board of Selectmen's purvey to adjust these guidelines.

MOTION: Made (Boilard) and seconded (Bunnell) to authorize Wilbraham Nature and Cultural Center, Inc.'s proposed article relative to Fountain Park Use Guideline's language to be included on the Annual Town Meeting Warrant. Approved 3-0.

Materials referenced: Email, dated February 26, 2015, from T. Sullivan, Interim Town Administrator relative to the proposed Warrant Article; Proposed language for Warrant Article 49; and Fountain Park Use Guidelines.

LICENSING AND OTHER APPROVALS

Request for Annual Food Establishment Permit (Bakery) – Theme Cakes by Joelene, LLC

Joelene Guzzi, owner of Theme Cakes by Joelene, LLC, introduced herself to the Board, audience and viewers at Chairman Russell's request. She informed that she is opening a Cakery in the Wilbraham Shoppe's plaza. Ms. Guzzi had been baking out of her home for family and friends for sometime. She wanted to expand as a business. She commented that the Wilbraham Shoppes is a great location. According to Ms. Guzzi, Theme Cakes by Joelene, LLC will offer custom made cakes as well as sell cake pops and brownies. She further added that the businesses in the Wilbraham Shoppes seem to complement each other.

Chairman Russell asked Ms. Guzzi when she was planning to open her business. She stated that it would open in a few months. Currently, her business space is an empty shell. Ms. Guzzi reported that Building and Health Inspectors visited the business and provided great advice. She also confessed that she still needs to take the Serve Safe Course. Overall, things have been going along pretty smoothly. Selectman Boilard asked if there would be seating for people in the business. Ms. Guzzi responded no. Chairman Russell asked again when the business would be opening. Ms. Guzzi said the business plans to open the week before Easter.

MOTION: Made (Boilard) and seconded (Bunnell) to grant a Food Establishment Permit for a bakery to Theme Cakes by Joelene, LLC, 2341 Boston Road, Wilbraham, Massachusetts for calendar year 2015; pending inspection by the Health Inspector. Approved 3-0.

Materials referenced: Application for Permit to Operate a Food Establishment, dated February 25, 2015, submitted by Theme Cakes by Joelene, LLC.

MINUTES OF MEETINGS

February 23, 2015

Chairman Russell asked if the Selectmen were all set with the minutes from February 23. All Selectmen were in agreement with the minutes. A motion was made.

MOTION: Made (Boilard) and seconded (Bunnell) to approve the minutes of February 23, 2015, as submitted. Approved 3-0.

Materials referenced: Draft of February 23, 2015 Minutes submitted by C. O. Gaumond, Administrative Assistant to the TA/BOS.

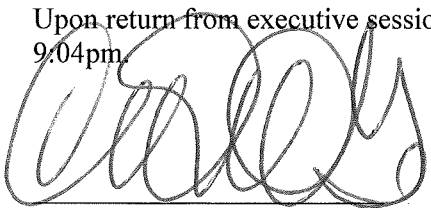
EXECUTIVE SESSION

To Conduct Strategy Session in Preparation for Contract Negotiations with Non-Union Personnel

Chairman Russell announced to the audience that the Board of Selectmen was going into an executive session. A motion was made.

MOTION: Made (Boilard) and seconded (Bunnell) to conduct strategy session in preparation with respect to contract negotiations with non-union personnel; and to reconvene to open session for adjournment. The motion was approved by each Selectman voting affirmatively in a roll call vote. (Boilard, yes; Bunnell, yes; and Russell, yes.) Approved 3-0.

Upon return from executive session, and having no further business, the meeting was adjourned at 9:04pm.



Candace Ouillette Gaumond
Administrative Assistant to the TA/BOS



Robert W. Russell, Chairman



Robert J. Boilard, Vice Chairman



Susan C. Bunnell, Clerk